

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
v.                            )              No.: 3:11-CR-61  
                                )              (VARLAN/SHIRLEY)  
RALPH VANOVER,            )  
                                )  
Defendant.                 )

**ORDER**

This criminal case is before the Court for consideration of the Report and Recommendation, entered by United States Magistrate Judge C. Clifford Shirley, Jr., on February 19, 2013 (the “R&R”) [Doc. 59]. There have been no timely objections to the R&R and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); Fed. R. Crim. P. 51. In the R&R, Magistrate Judge Shirley recommends that the defendant’s *pro se* Motion of Acquittal for Invalid Search Warrant [Doc. 54] and Motion to Bring Justice for an Invalid Search Warrant [Doc. 55], be denied.

After a careful review of the record, the Court is in agreement with Magistrate Judge Shirley’s recommendations, which the Court adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the R&R [Doc. 59] and hereby

**DENIES** defendant's Motion of Acquittal for Invalid Search Warrant and Motion to Bring Justice for an Invalid Search Warrant [Docs. 54, 55].

IT IS SO ORDERED.

s/ Thomas A. Varlan  
CHIEF UNITED STATES DISTRICT JUDGE